

The Law Offices of

Earl P. Underwood, Jr.

**Board Certified Civil Trial Lawyer
By National Board of Trial Advocacy**

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Post Office Box 969
Fairhope, Alabama 36533-0969
(251) 990-5558

Earl P. Underwood, Jr.
James D. Patterson

April 21, 2006

Anne P. Wheeler
1901 N 6th Ave # 2900
Birmingham Al 35203

Re: Alexander v. Certegy Interrogatory Responses

Dear Anne:

I am in receipt of the Interrogatory Responses of Certegy and have the following questions or concerns.

With regard to interrogatory number 3, it is stated "Certegy objects to interrogatory number 3 on the grounds that it is overly broad, vague, and not reasonably calculated to lead to the discovery of admissible evidence, specifically, but not exclusively, because it seeks information concerning policies and procedures that are not at issue or in any way relevant to the claims asserted by the plaintiff in this action." This is obviously a canned objection, if you would please restate that to tell us exactly what it is that you are objecting to and in what way the interrogatory is overly broad and vague. It appears that Certegy has taken some time to answer the question and has an almost three page answer and if there really is no objection to the question please withdraw the objection.

With regard to the response to interrogatory number 4, this response contains another canned objection that doesn't specifically tell us what it is that Certegy is objecting to, although Certegy appears to have answered the question at least in part. If there really is no objection please withdraw the canned objection.

With regard to the response to number 5, please withdraw the canned objection. Your objection states that the interrogatory is "overly broad, vague, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence". This is a groundless and frivolous objection and I would appreciate its withdrawal.

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With regard to the response to number 6, this response also contains a frivolous and groundless objection. Please withdraw it.

Regarding, number 7, this response contains a frivolous objection and has not been answered. Please respond properly to interrogatory number 7.

Regarding interrogatory number 8, Number 8 contains another frivolous objection, please withdraw the objection and fully answer interrogatory number 8.

Please withdraw the frivolous objection to interrogatory number 9 and fully answer interrogatory number 9. As I am sure you know the definition of "adverse action" found in the F.C.R.A includes the following "an action taken or a determination that is made in connection with a transaction that was initiated by the consumer that is adverse to the interest of that consumer" See 1681(a)(k)(b)iv. So I would appreciate a full answer to this interrogatory and withdrawal of the frivolous object.

With regard the number 10, I have the same concerns as number 9 please withdraw the frivolous objection and fully answer interrogatory number 10.

Please withdraw the frivolous objection to interrogatory number 11 and answer it in full.

Regarding interrogatory number 12, please withdraw the frivolous objection and answer it in full. It is obvious that with reporting or recommending that a merchant decline a consumer's check is an adverse action as that term is used in the Fair Credit Reporting Act. So in that regard I would appreciate a full answer to interrogatory number 12.

Please withdraw the frivolous objection to interrogatory number 13.

Please withdraw the objection to interrogatory number 14 and fully comply with that.

Please withdraw the objection to interrogatory number 15 and answer it in full.

Please withdraw the frivolous objection to interrogatory number 16.

Please withdraw the frivolous objection to interrogatory number 18.

Please withdraw the objection to interrogatory number 19 and answer it in full.

Please properly respond to interrogatory number 20.

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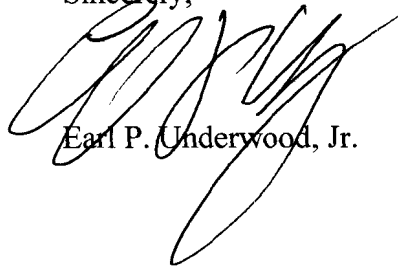
With regard to interrogatory number 21, please withdraw the frivolous objection. Further this interrogatory appears to be incorrect or incomplete. Please review the response to interrogatory number 21 and correct it where necessary.

With regard to interrogatory number 22, please withdraw the frivolous objection.

With regard to interrogatory number 23, please withdraw the frivolous objection and answer the question. It was clearly stated in Certegy's manual that a consumer report is a letter that explains the reason for the decline. And we would like to know during what time period that has been Certegy's policy.

Please withdraw the frivolous objection to interrogatory number 24. As with the letter I faxed earlier today regarding the response to our request for documents please consider this letter my good faith effort to obtain meaningful responses to our interrogatories without court intervention. I will file a motion to compel next Friday if meaningful answers are not forthcoming.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl P. Underwood, Jr.", is written over the typed name. The signature is stylized with large, sweeping loops.

Earl P. Underwood, Jr.

EPUjr/dcl

* * * Transmission Result Report (MemoryTX) (Apr.21. 2006 3:45PM) * * *

1) Earl P. Underwood, Jr.
2)

Date/Time: Apr.21. 2006 3:44PM

File No.	Mode	Destination	Pg (s)	Result	Page Not Sent
2746	Memory TX	12054589500	P. 3	OK	

Reason for error
E.1) Hang up or line fail
E.3) No answerE.2) Busy
E.4) No facsimile connection

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